



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 11/05/2022

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD). Nos.7767 and 7778 of 2022

WEB COPY

1.Jegadeesan ... Petitioner/Accused Rank Not Known
in Crl.O.P(MD).No.7767/2022

1.Bose
2.Ramachandran
3.Lakshmi
4.Shalini
5.Divya

... Petitioner/Accused Nos.1,4,5,6&7
in Crl.O.P(MD).No.7778/2022

Vs

1. The State Rep. By,
The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No. 173 of 2022).

... Respondent/Complainant
(In Both the Petitions)

2. Alagu

... Petitioner/Defacto Complainant
in Crl MP(MD) No.5820/2022

(in both the petitions)

For Petitioners	: Mr.M.S.Jeyakarthick Advocate.
For Respondent	: Mr.A.Thiruvadi Kumar, Additional Public Prosecutor.
For Intervenor	: Mr.S.Kanagarajan, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No. 173 of 2022 on the
file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners who apprehend arrest at the hands of the
respondent police for the alleged offence under Sections 147,148,
294(b), 323, 324 and 506(ii)IPC and Section 4 of Tamil Nadu
Prohibition of Harassment of Women Act, 2002 @ U/s. 147, 148, 294
(b), 323, 324, 307 and 506(ii) IPC Crime No.173 of 2022, on the
file of the respondent police, seek anticipatory bail.



2.The case of the prosecution is that due to word quarrel the petitioners and other accused have attacked the defacto complainant and thereby, casue grievous injuries. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. Based on the false information, the above case was foisted against the petitioners and hence he seeks bail. He would further submit that to show their bonafide, the petitioners are ready and willing to deposit a sum of Rs.1,00,000/- on their own volition, which may be disbursed to the defacto complainant for the medical expenses.

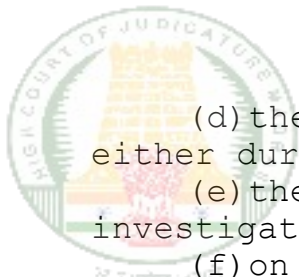
4.The learned Additional Public Prosecutor would submit that the petitioners are not having any previous cases and the investigation of the case is pending.

5. Considering the submission made by the learned counsel for the petitioners that the petitioners, on their own volition, are ready and willing to deposit the amount, and considering the nature of injuries sustained by the defacto complainant and that the petitioners are not having any previous cases, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) The petitioners are directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No. 173 of 2022 on the file of the learned Judicial Magistrate, Melur within a period of fifteen days from the date of receipt of a copy of this order and on such deposit, the learned Judicial Magistrate, Melur is directed to disburse the same to the defacto complainant for the medical expenses, after getting an undertaking that in the event of the petitioners succeeding in the trial, the amount will be returned to the accused by the defacto complainant.

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks, thereafter, as and when required;



(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

11/05/2022

/ TRUE COPY /

11/05/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE, MELUR.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2 C.C. TO M/S.JEYAKARTHIK, ADVOCATE, S.R.NO.4637 & 4638 (I), DATE :
12.05.2022.

ORDER

IN

CRL OP(MD). Nos.7767 and
7778 of 2022

Date : 11/05/2022

tta/trp

USK/VR/SAR-IV/11.05.2022/3P/5C

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